

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

---

No. 07-2768

---

GLENN H. OLAY,

Appellant

v.

MOTION CONTROL INDUSTRIES, Division of Carlisle Corporation;  
RETIREMENT PLAN FOR BARGAINING UNIT EMPLOYEES OF MOTION  
CONTROL INDUSTRIES, Division of Carlisle Corporation

---

On Appeal from the United States District Court  
for the Western District of Pennsylvania  
(D.C. Civil Action No. 04-CV-00266)  
District Judge: Honorable Maurice B. Cohill, Jr.

---

Submitted Pursuant to Third Circuit LAR 34.1(a)  
December 20, 2007

Before: SLOVITER, BARRY and WEIS, Circuit Judges

**JUDGMENT**

---

This cause came to be considered on the record from the United States District Court for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on December 20, 2007. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the judgment of the District Court entered May 21, 2007 be and the same is hereby affirmed. Costs taxed against the

appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron  
Clerk

Dated: December 21, 2007

Certified as a true copy and issued in lieu  
of a formal mandate on 2/13/08

*Marcia M. Waldron*

Teste:  
Clerk, U.S. Court of Appeals for the Third Circuit